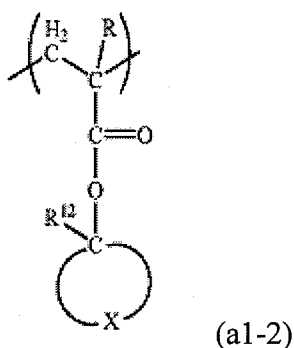


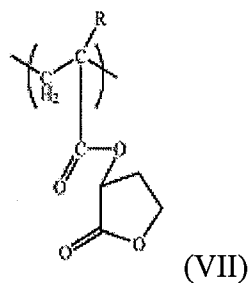
## AMENDMENTS TO THE CLAIMS

1. (**Currently amended**) A resin for a resist, comprising structural units (a) derived from an ( $\alpha$ -lower alkyl)acrylate ester as a principal component, wherein  
said structural units (a) comprise consisting of structural units (a1) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising an acid dissociable, dissolution inhibiting group, structural units (a2-1) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising a lactone-containing monocyclic group, and structural units (a3) derived from an ( $\alpha$ -lower alkyl)acrylate ester that comprises a polar group-containing aliphatic hydrocarbon group, wherein  
said structural units (a1) comprise structural units (a1-2) represented by general formula (a1-2) shown below:



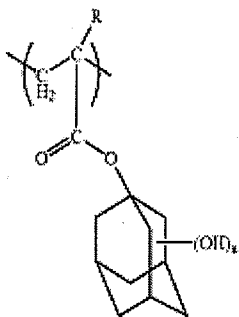
(wherein, R represents a hydrogen atom or a methyl group, R<sup>12</sup> represents an ethyl group, and X represents a group which, in combination with a carbon atom to which said group R<sup>12</sup> is bonded, forms a group in which one hydrogen atom has been removed from a cyclohexyl group),

said structural units (a2-1) are structural units represented by general formula (VII) shown below:



(wherein, R represents a hydrogen atom or a methyl group), and

said structural units (a3) are structural units represented by general formula (VIII) shown below:



(VIII)

(wherein, R represents a hydrogen atom or a methyl group; and n represents an integer of 1, and the hydroxyl group is bonded to position 3 of the adamantyl group).

2. **(Canceled)**

3. **(Canceled)**

4. **(Canceled)**

5. **(Currently amended)** A positive resist composition comprising: (A) a resist resin component that exhibits increased alkali solubility under action of acid, and (B) an acid generator component that generates acid on exposure, wherein

said component (A) ~~comprises~~ is a resin for a resist according to claim 1.

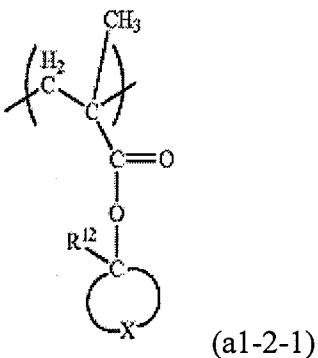
6. **(Original)** A positive resist composition according to claim 5, further comprising a nitrogen-containing organic compound.

7. **(Original)** A method of forming a resist pattern, comprising the steps of: forming a positive resist film on top of a substrate using a positive resist composition according to claim 5, conducting a selective exposure treatment of said positive resist film, and performing alkali developing to form a resist pattern.

8. **(Currently amended)** A resin for a resist, ~~comprising structural units (a) derived from an ( $\alpha$ -lower alkyl)acrylate ester as a principal component, wherein~~

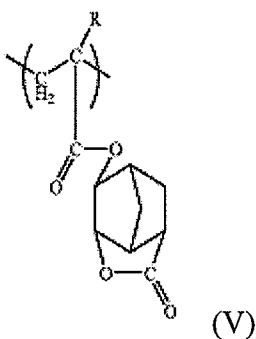
~~said structural units (a) comprise~~ consisting of structural units (a1) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising an acid dissociable, dissolution inhibiting group, structural units (a2) derived from an ( $\alpha$ -lower alkyl)acrylate ester comprising a lactone-containing monocyclic or polycyclic group, and structural units (a3) derived from an ( $\alpha$ -lower alkyl)acrylate ester that comprises a polar group-containing aliphatic hydrocarbon group, wherein

said structural units (a1) comprise structural units (a1-2-1) represented by general formula (a1-2-1) shown below:

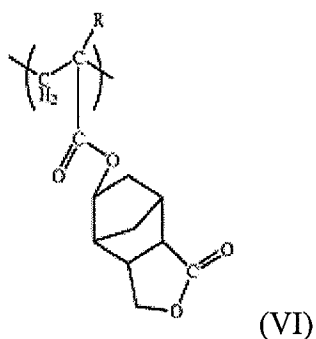


(wherein,  $R^{12}$  represents an ethyl group, and X represents a group which, in combination with a carbon atom to which said group  $R^{12}$  is bonded, forms a group in which one hydrogen atom has been removed from a cyclohexyl group),

said structural units (a2) are structural units represented by general formula (V) or (VI) shown below:

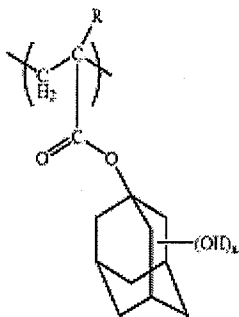


(wherein, R represents a hydrogen atom or a methyl group);



(wherein, R represents a hydrogen atom or a methyl group), and

said structural units (a3) are structural units represented by general formula (VIII) shown below:



(VIII)

(wherein, R is a hydrogen atom or a methyl group; and n represents an integer of 1, and the hydroxyl group is bonded to position 3 of the adamantyl group).

9. **(Canceled)**

10. **(Canceled)**

11. **(Canceled)**

12. **(Currently amended)** A positive resist composition comprising: (A) a resist resin component that exhibits increased alkali solubility under action of acid, and (B) an acid generator component that generates acid on exposure, wherein

said component (A) ~~comprises~~ is a resin for a resist according to claim 8.

13. **(Original)** A positive resist composition according to claim 12, further comprising a nitrogen-containing organic compound.

14. **(Original)** A method of forming a resist pattern, comprising the steps of: forming a positive resist film on top of a substrate using a positive resist composition according to claim 12, conducting a selective exposure treatment of said positive resist film, and performing alkali developing to form a resist pattern.

15-17. **(Canceled)**

18. **(New)** The resin for a resist according to claim 1, wherein said structural units (a1) consist of structural units (a1-2) represented by general formula (a1-2).

19. **(New)** The resin for a resist according to claim 8, wherein said structural units (a1) consist of structural units (a1-2-1) represented by general formula (a1-2-1)